

Notice of Allowability

Application No.

10/711,959

Examiner

Phallaka Kik

Applicant(s)

HENG ET AL.

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE and amendment filed on 10/30/07 and interview on 11/6/2007.
2. ☒ The allowed claim(s) is/are 1-24,31-36, wherein claims 25-30 have been canceled and claims 31-36 have been renumbered as 25-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20071105 .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This Office Action responds to the RCE and amendment filed on 10/30/2007 and interview conducted on 11/6/2007. Claims 1-24,31-36 are pending, wherein claims 25-30 have been canceled and claims 1,9,17,31,33,35 have been amended. Claims 1-36 have been examined and are allowed, wherein claims 1,5,9,13,17,21,23,31-36 are subjected to the following Examiner's Amendment.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/30/2007 has been entered.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Spencer K. Warnick (Reg. No. 40,398) on 11/6/2007.

The application has been amended as follows:

In the claims:

As per **claim 1**, "the same" (line 8) has been replaced with --a same--;
"the case" (line 12) has been replaced with --a case--;
--layout-- has been inserted after "design" (line 13).

As per **claim 5**, "the manufacturing" (line 5) has been replaced with
--manufacturing--.

As per **claim 9**, "the same" (line 9) has been replaced with --a same--;
"the case" (line 13) has been replaced with --a case--;
--layout-- has been inserted after "design" (line 14).

As per **claim 13**, "the manufacturing" (line 4) has been replaced with
--manufacturing--.

As per **claim 17**, "the same" (line 12) has been replaced with --a same--;
"the case" (line 16) has been replaced with --a case--;
--layout-- has been inserted after "design" (line 17).

As per **claim 21**, "the manufacturing" (line 5) has been replaced with
--manufacturing--.

As per **claim 23**, "17" (line 1) has been replaced with --21--.

As per **claim 31**, "the same" (line 8) has been replaced with --a same--;
"the case" (line 12) has been replaced with --a case--;
--layout-- has been inserted after "design" (line 13).

As per **claim 32**, "the manufacturing" (line 5) has been replaced with
--manufacturing--.

As per **claim 33**, "the same" (line 9) has been replaced with --a same--;

"the case" (line 13) has been replaced with --a case--;

--layout-- has been inserted after "design" (line 14).

As per **claim 34**, "the manufacturing" (line 4) has been replaced with
--manufacturing--.

As per **claim 35**, "the same" (line 12) has been replaced with --a same--;

"the case" (line 16) has been replaced with --a case--;

--layout-- has been inserted after "design" (line 17).

As per **claim 36**, "the manufacturing" (line 5) has been replaced with
--manufacturing--.

Allowable Subject Matter

4. **Claims 1-24,31-36** are allowed.

5. The following is an examiner's statement of reasons for allowance:

As per **claims 1-24,31-36**, the independent claims 1,9,17,31,33,35, from which the respective claims depend, recite the method/system/computer program product comprising a computer useable medium having computer readable program code embodied therein, for selectively scaling an integrated circuit design layout, comprising the inventive steps/means/program codes of individually determine a scaling factor from each program object (identified), without considering a scale factor of a different problem object of a same type as the problem object, as claimed, as pointed out by Applicant (see amendment filed on 10/30/2007, pages 11-12). Accordingly, the claimed invention is novel and un-obvious over the prior arts made of record.

Conclusion

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phallaka Kik whose telephone number is 571-272-1895. The examiner can normally be reached on Monday-Friday, 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on 571-272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any response to this action should be mailed to:

Commissioner for Patents

P. O. Box 1450

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Alexandria, VA 22313-1450

or faxed to:

571-273-8300

/Phallaka Kik/
Primary Examiner, A.U. 2825
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